UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ROCK CREEK NETWORKS, LLC, Plaintiff v. **ZYXEL COMMUNICATIONS CORPORATION** Defendant	**Case No. 6:21-cv-00080** **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Rock Creek Networks, LLC ("Plaintiff" or "RCN") files this Complaint against Defendant Zyxel Communications Corporation ("Zyxel" or "Defendant") for infringement of RCN's patent: U.S. Patent No. 6,671,750 (PX-750 attached).

THE PARTIES

1.   Plaintiff and patent owner RCN is a Texas limited liability company with its headquarters and principal place of business in Waco, Texas.

2.   On information and belief, Defendant Zyxel Communications Corporation is a Taiwanese corporation with its principal office at No 2, Industry

East RD, IX, Hsinchu Science Park, Hsinchu, 30075, Taiwan, ROC.

JURISDICTION AND VENUE

3.   This is a patent suit brought under the United States Patent Act, namely 35 U.S.C. §§ 271, 281, and 284-285, among other laws. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4.   Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b). Defendant markets, sells, and delivers accused products in this District, directs and instructs customers and end users how to use the accused products in this District, and has committed acts of infringement in this District.

NOTICE OF RCN'S PATENT

5.   Plaintiff is the owner, by assignment, of U.S. Patent No. 6,671,750 (the "'750 Patent"), entitled LAN INTERFACE, which issued on December 30, 2003. A copy of the '750 Patent is attached hereto as Exhibit PX-750.

6.   RCN possesses all rights of recovery under the Asserted Patents.

7.   Defendant has been on notice of the '750 Patent at least as early as the date it received service of this complaint.

ZYXEL'S PRODUCTS

8.   On information and belief, Zyxel makes, imports, sells, offers to sell, distributes, licenses, markets and/or uses the network switches such as GS105 Series (for example, GS105I, GS-105S v2), GS-108 Series (GS-108B, GS-108I), GS1100

Series, GS1900 Series, GS1920 Series, MGS-3712C, and MGS-3712F switches. ("the Accused Products").

9.   The Accused Products conform with the IEEE 802.3az Energy Efficient Ethernet (EEE).   https://www.zyxel.com/in/en/uploads/images/ds_mgs3712c.pdf. This mode saves energy by putting part of the transmission circuit into low power mode when a link is idle so that the Ethernet links use power only during data transmission.

10.   According to Zyxel, the Accused Products include advanced QoS capabilities. https://www.zyxel.com/in/en/uploads/images/ds_mgs3712c.pdf.

- 16 K MAC address table
- Policy-based QoS optimizes multi-service quality
- IGMP snooping v1, v2, v3, MVR
- Multilayer-aware (L2/L3/L4) ACL for security protection
- High redundancy and resilient architecture with RSTP and port trunking
- Temperature harden and protection against humidity and dust
- Removable fan module
- IPv6 management support

Advanced QoS for significant services

Consistent service quality and reliable connecting ability in a converged network is the key for service providers to win customers and build loyalty; therefore the ability to control traffic flow and set traffic policy becomes more critical than ever. The MGS-3712C offers wire-speed flow control that classifies and prioritizes the incoming packets according to the predefine QoS policies that meet requirements of service providers.

https://www.zyxel.com/in/en/uploads/images/ds_mgs3712c.pdf.

Specifications

Model	MGS-3712C	MGS-3712F
Product name	12-port Combo GbE L2 Managed Switch	8-port GbE L2 Switch with Four GbE Uplink Ports
Port Density		
Dual personality ports (Fixed RJ-45 1000BASE-T or SFP open slots)	12	4
Open SFP slot (GbE)	0	8
Performance		
Switching fabric speed (Gbps)	24	24
Forwarding rate (Mpps)	17.8	17.8
Packet buffer (Bytes)	1 M	1 M
MAC address table	16 K	16 K
Power Requirement—Input Power		
AC, DC dual power supply	Yes	Yes
AC power	100 - 240 V AC, 50/60 Hz	100 - 240 V AC, 50/60 Hz
DC power	-36 to -72 V DC	-36 to -72 V DC
Physical Specifications		
Dimensions (WxDxH)(mm/in.)	438 x 225 x 44.5/17.24 x 8.86 x 1.75	438 x 225 x 44.5/17.24 x 8.86 x 1.75
Weight, fully loaded (kg/lb.)	3.4/7.5	3.4/7.5
Environmental Specifications		
Operating temperature	0°C to 65°C/32°F to 149°F	0°C to 65°C/32°F to 149°F
Storage temperature	-25°C to 70°C/-13°F to 158°F	-25°C to 70°C/-13°F to 158°F
Operating humidity	-10% to 99% (non-condensing)	-10% to 99% (non-condensing)
Software Specifications		
IPv6	Yes	No
RSPAN	Yes	No
Carrier enhancement features	Yes	No

Id.

Features

Standard Compliance
- IEEE 802.3 10BASE-T Ethernet
- IEEE 802.3u 100BASE-Tx Ethernet
- IEEE 802.ab 1000BASE-T Ethernet
- IEEE 802.3z 1000BASE-X
- IEEE 802.3x flow control
- IEEE 802.1d spanning tree protocol
- IEEE 802.1w rapid spanning tree protocol
- IEEE 802.1s multiple spanning tree protocol
- IEEE 802.1p class of service, priority protocols
- IEEE 802.1Q VLAN tagging
- IEEE 802.1X port authentication
- IEEE 802.3ad LACP aggregation
- IEEE 802.1ad VLAN stacking
- IEEE 802.3az Energy Efficient Ethernet (EEE)

Traffic Management and QoS
- Broadcast storm control
- IEEE 802.1p with 8 hardware priority queues per port for different types of traffic
- IEEE 802.1ad QinQ/selected QinQ
- IEEE 802.1Q tag-based and port-based VLAN
- Weighted Fair Queuing (WFQ)/WRR/SPQ scheduling algorithm
- Policy based rate limiting
- Policy based bandwidth control
- Port based traffic shaping/rate limiting
- Rule-based traffic mirroring
- IGMP snooping (v1, v2, v3)
- IGMP filtering
- Jumbo frame support (9 K Bytes) for high performance data backup or recovery services
- Support GVRP, automatic VLAN member registration
- Multicast VLAN Registration (MVR)
- BPDU transparency

Link Aggregation
- IEEE 802.3ad LACP link aggregation compliant
- Support static manually port trunking
- Up to 6 aggregation groups, 8 ports/per group randomly selected
- VLAN trunking

Redundancy for Fault Backup
- IEEE 802.1w Rapid Spanning Tree Protocol (RSTP) provides rapid convergence of spanning tree independent of spanning-tree timer
- IEEE 802.1s multiple spanning tree provides link availability in multiple VLAN environments by allowing multiple spanning trees
- MRSTP—Multiple RSTP

Id.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 6,671,750

11. Plaintiff realleges and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

12. The '750 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Plaintiff is the owner by assignment of the '750 Patent.

14. The Accused Products are designed to connect to provide interactive services using applications.

15. Upon information and belief, Defendant has infringed and continue to infringe one or more claims, including Claim 1, of the '750 Patent by making, using, importing, selling, and/or, offering for sale the Accused Products in the United States without authority.

16. Defendant has infringed and continues to infringe the '750 Patent either directly or through the acts of inducement in violation of 35 U.S.C. § 271.

17. Defendant encourages others, including their customers, to use the Accused Products in the United States without authority.

18. Claim 6 of the '750 Patent recites:

6. A LAN interface comprising:

a LAN controller for processing a signal transmitted from a terminal connected to an I/O bus and then transmitting a processed signal

to said counter device, and for processing a signal transmitted from said counter device and then transmitting a processed signal to said connection device;

a separator connected between said LAN controller and said I/O bus, for electrically disconnecting said LAN controller from said I/O bus; and

a link pulse detector for operating on a predetermined voltage supplied via said I/O bus and detecting a link pulse from said counter device connected to said connection port; and

wherein said link pulse detector, when detecting a link pulse output from the counter device, controls the LAN controller and the isolation section to controllably bring them to an operation state thereof and, when not detecting a link pulse output from the counter device, controls the LAN controller and the isolation section to controllably bring them to a non-operation state.

19.   As exemplified in the information referenced in the above paragraphs and the use of one or more of the Accused Products, the Accused Products include a LAN interface that has LAN controller for processing a signal transmitted from a terminal connected to an I/O bus and then transmitting a processed signal to said counter device, and for processing a signal transmitted from said counter device and

then transmitting a processed signal to said connection device.

20.   The Accused Product has a LAN interface that has a separator connected between said LAN controller and said I/O bus, for electrically disconnecting said LAN controller from said I/O bus.

21.   The LAN interface includes a link pulse detector for operating on a predetermined voltage supplied via said I/O bus and detecting a link pulse from said counter device connected to said connection port.

22.   In operation, the link pulse detector, when detecting a link pulse output from the counter device, controls the LAN controller and the isolation section to controllably bring them to an operation state thereof and, when not detecting a link pulse output from the counter device, controls the LAN controller and the isolation section to controllably bring them to a non-operation state.

23.   Defendant's infringing activities are and have been without authority or license under the '750 Patent.

24.   Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of Defendant's infringing acts, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court, pursuant to 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court enter judgment

against Defendant:

1.   declaring that the Defendant has infringed the '750 Patent;

2.   awarding Plaintiff its damages suffered as a result of Defendant's

   infringement of the '750 Patent;

3.   awarding Plaintiff its costs, attorneys' fees, expenses, and prejudgment

   and post-judgment interest; and

4.   granting Plaintiff such further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues so triable pursuant to Fed.

R. Civ. P. 38.

Dated: January 28, 2021   Respectfully Submitted,

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